

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

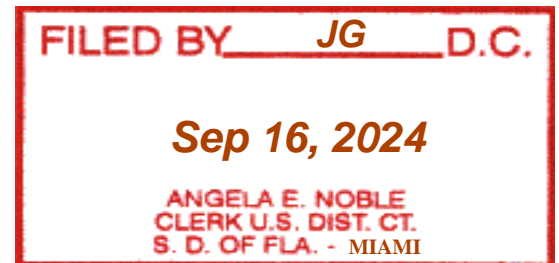
David J. Smith  
Clerk of Court

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September 16, 2024

Clerk - Southern District of Florida  
U.S. District Court  
400 N MIAMI AVE  
MIAMI, FL 33128-1810

Appeal Number: 24-10114-GG  
Case Style: Angela Gallo, et al v. Carnival Corporation  
District Court Docket No: 1:23-cv-23266-CMA



A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

The enclosed copy of the judgment is hereby issued as mandate of the court. The court's opinion was previously provided on the date of issuance.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Enclosure(s)

MDT-1 Letter Issuing Mandate

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-10114

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ANGELA BERNHARDINE GALLO,  
Angela Bernhardine Gallo Individually  
and as Personal Representative of the  
Estate of Basilio Gallo, Deceased,  
LISA ANTIONIETTA LIE GALLO,  
Individually,

Plaintiffs-Appellees,

*versus*

CARNIVAL CORPORATION,  
Carnival Corporation Which Will Do Business In California  
As Carnival Cruises Lines, a Foreign Corporation with  
its principal place of business in the State of Florida,

Defendant-Appellant.

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24-10114

Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 1:23-cv-23266-CMA

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JUDGMENT

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: August 16, 2024

For the Court: DAVID J. SMITH, Clerk of Court

ISSUED AS MANDATE: September 16, 2024

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-10114

Non-Argument Calendar

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ANGELA BERNHARDINE GALLO,  
Angela Bernhardine Gallo Individually  
and as Personal Representative of the  
Estate of Basilio Gallo, Deceased,  
LISA ANTIONIETTA LIE GALLO,  
Individually,

Plaintiffs-Appellees,

*versus*

CARNIVAL CORPORATION,  
Carnival Corporation Which Will Do Business In California  
As Carnival Cruises Lines, a Foreign Corporation with  
its principal place of business in the State of Florida,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 1:23-cv-23266-CMA

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Before LAGOA, BRASHER, and ABUDU, Circuit Judges.

PER CURIAM:

Upon review of the record and the responses to the jurisdictional questions, this appeal is DISMISSED for lack of jurisdiction. Appellant challenges a portion of the district court's December 12, 2023 order that it alleges denied appellant's motion to compel arbitration. However, the December 12 order did not deny that motion, and the motion was previously denied as premature in a paperless order entered on October 29, 2023. Appellant clarifies that it does not appeal the October 29 order, and that it only appeals the portion of the December 12 order that it asserts denied its motion to compel. *See* Fed. R. App. P. 3(c)(4). Because the appellant challenges only a non-existent ruling, we conclude that the appellant lacks appellate standing. *See Wolff v. Cash 4 Titles*, 351 F.3d 1348, 1353-54 (11th Cir. 2003).

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August 16, 2024

MEMORANDUM TO COUNSEL OR PARTIES

Appeal Number: 24-10114-GG  
Case Style: Angela Gallo, et al v. Carnival Corporation  
District Court Docket No: 1:23-cv-23266-CMA

Opinion Issued

Enclosed is a copy of the Court's decision issued today in this case. Judgment has been entered today pursuant to FRAP 36. The Court's mandate will issue at a later date pursuant to FRAP 41(b).

Petitions for Rehearing

The time for filing a petition for panel rehearing is governed by 11th Cir. R. 40-3, and the time for filing a petition for rehearing en banc is governed by 11th Cir. R. 35-2. Except as otherwise provided by FRAP 25(a) for inmate filings, a petition for rehearing is timely only if received in the clerk's office within the time specified in the rules. **A petition for rehearing must include a Certificate of Interested Persons and a copy of the opinion sought to be reheard.** See 11th Cir. R. 35-5(k) and 40-1.

Costs

No costs are taxed.

Bill of Costs

If costs are taxed, please use the most recent version of the Bill of Costs form available on the Court's website at [www.ca11.uscourts.gov](http://www.ca11.uscourts.gov). For more information regarding costs, see FRAP 39 and 11th Cir. R. 39-1.

Attorney's Fees

The time to file and required documentation for an application for attorney's fees and any objection to the application are governed by 11th Cir. R. 39-2 and 39-3.

Appointed Counsel

Counsel appointed under the Criminal Justice Act (CJA) must submit a voucher claiming compensation via the eVoucher system no later than 45 days after issuance of the mandate or the filing of a petition for writ of certiorari. Please contact the CJA Team at (404) 335-6167 or

cja\_evoucher@call.uscourts.gov for questions regarding CJA vouchers or the eVoucher system.

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OPIN-1 Ntc of Issuance of Opinion